

Native

African and Oceanic Art

25 January 2014 - Brussels



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Auction

25 January 2014

15.00

Preview

22 - 24 January 2014

11.00 - 18.00

25 January 2014

10.00 - 12.00

Wolstraat 32

Rue aux Laines 32

Brussel 1000 Bruxelles

Native auctions

Wolstraat 32
Rue aux Laines 32
Brussel 1000 Bruxelles

T +32 (0) 2 514 04 42

F +32 (0) 2 514 03 36

info@native-auctions.com

Nicolas Paszukiewicz

n.paszukiewicz@native-auctions.com

Sébastien Hauwaert

s.hauwaert@native-auctions.com

Lin Deletaille

l.deletaille@native-auctions.com

Consignments

Valuations and conditions:

info@native-auctions.com

T +32 (0) 2 514 04 42

Billing and payments

Information about invoices and payments:

info@native-auctions.com

Bidding

Bidding assistance and bid form:

bid@native-auctions.com

T +32 (0) 2 514 04 42

Shipping

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shipping@native-auctions.com

Summary

Oceania

Africa

Northern territories

Conditions of sale

Bibliography

Absentee bid form

Africa

01

A Dogon figure

Wood - 30,5 cm

Mali

Powerful and radical composition
enlightened by geometric patterns.
The great age of the figure is confirmed
by the condition of the wood and
the beautiful black patina.

Provenance:

Acquired from Hélène Leloup in the 1980's.
French private collection.

€ 6000 - 8000





02

A Senufo staff

Wood - 34,5 cm

Ivory Coast

Tefalipitya, Standing female figure on top of a staff, elongated face with pointed chin. Earned during an agricultural contest, the newly initiated poro members can be recognized for their working skills.

Provenance:

European private collection.

€ 2000 - 3000

03

A Senufo equestrian figure

Wood - 38,5 cm

Ivory Coast

Syonfolo, figures of a rider on horseback represent a bush spirit on his steed, and were usually kept on a personal shrine or used as an aid by the diviner. The horse, even if not native to the region, is an animal with which the Senufo have been familiar for centuries. It was associated with speed, swiftness, dignity and prestige, but also with violence and disorder, having been used in pre-colonial times by the warriors and slave-raiders who preyed on the Senufo.

See Naprstek Museum of Asian, African and American Cultures, Prague, for a similar exemplar brought back by J. Hloucha in 1936.

Provenance:

Private collection, Paris.

€ 4000 - 6000





04

A Senufo equestrian figure

Wood - 22,3 cm

Ivory Coast

Of compressed proportions, the oil of the offerings penetrates deeply in the wood and provokes a beautiful dark and shiny patina with a reddish reflection on the edges.

Provenance:

Acquired from the art dealer
Gaston Dieou in Abidjan in 1960.
European private collection.

€ 6000 - 8000



05

A rare Senufo couple

Wood - 116 and 117 cm

Ivory Coast

Deble from Korhogo region, rhythm pounders used during ancestral rites and in initiations of adolescents to adult society; it was also a benevolent symbol of fertility and a conduit to the departed. The few known male and female rhythm pounder pairs are thought to represent the primordial couple, referred to as 'Pombibele', which means 'those who gave birth'.

These pounders were traditionally used at funeral ceremonies by *Poros* society members. In some areas, they are actually pounded, at others, they are gathered at the centre of the ceremonial grounds. *Deble* are held by their arms and pounded on the ground to mark a rhythm for dancers. The worn arms on these pieces show it was used repeatedly. Fine aged patina from light brown to black and some erosion.

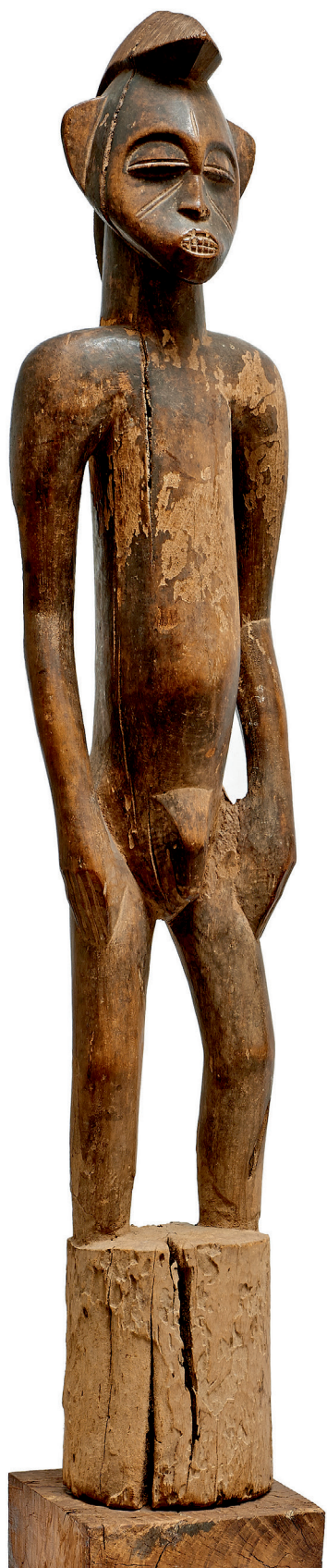
The carver clearly defined the male and female physical characteristics, prominent breast and bottom, slim waist, ...

An other work by the same carver can be seen in the book 'Côte d'Ivoire Premiers regards sur la sculpture 1850 - 1935' by Bertrand Goy published by the Gallery Shoffel-Valluet, Paris, in 2012, n°64.

Provenance:

Private collection, Belgium.

€ 30 000 - 50 000





06

A Baule mask

Wood - 43 cm

Ivory Coast

Kpele kpele, representing the junior male element in a series of four mask types that appear in pairs in the *Goli* ceremony. The *Goli* dances are performed at elder's funerals and as entertainment in the village. The four sets of dancers are symbols of the structure of society and the interrelationships of men, women and the social order.

Provenance:

French private collection, Paris.

€ 3000 - 4000



07

An Akan ornament

Gold - 7 cm

Ivory Coast / Ghana

€ 600 - 800



08

A Baule divination tapper

Wood - 26 cm

Ivory Coast

Lawle waka, the twisted and ridged handle holding a miniature Goli buffalo mask. Fine patina of use. According to S. Vogel, the diviner-dancers (*komyen*) are conditioned to get into a trance state when they hear the steady beat of the gong.

€ 1500 - 2000

09

A Baule mask

Wood - 22 cm

Ivory Coast

The closed meditative eyes surmounted by the typical Baule arch of the eyebrows. Striated coiffure. Nice dark brown patina.

€ 2500 - 3000





10

A Yaure mask

Wood - 37,5 cm
Ivory Coast

Female ovale face with delicate features. The coiffure composed of two large plates transformed in ram horns surmounted by a rooster in an attitude of pride. This symbol illustrates a relation between the sexual forces assuring procreation.

Provenance:
Important european collection.

Published:
B. Holas 'Animaux dans l'art ivoirien' Paul
Geuthner, Tours, 1969, p. 128-129, Fig. 43.

€ 18000 - 25000





11

A rare Guro figure

Wood - 27,5 cm

Ivory Coast

Fine female figure standing on a base in a slight contrapposto, arms away from the body, small protruding bellybutton, clearly defined buttocks, round and slender shoulders, the large neck is surmounted with a fine-looking face with delicate features, the coiffure is finely braided into multiple buns, nice shiny dark brown to red patina.

Provenance:

European private collection.

€ 10000 - 15000

12

A Yaure mask

Wood and pigments - 30 cm

Ivory Coast

Tu Bodu, in Yaure art, the combination of human and animal features conveys the deity's dual nature. By both ennobling the animal and idealising the human, this Yaure artist expressed his people's obscure alliance with the creatures of the bush. The humanised animal thus becomes an image of a natural harmony perpetually put in question, of tamed savagery, and of energy so subjugated it becomes decoration (Alain-Michel Boyer, 2007).

Provenance:

Acquired from Galerie 62
(René and Maud Garcia), 1985, Paris.
Private collection, Paris

€ 3000 - 4000



13

A Baule monkey

Wood - 93 cm

Ivory Coast

Gbekre, the Baule monkey is the embodiment of a spirit whose function is to protect the group and to ensure divination. They are usually hidden in the village and are brought to the bush for their use. The blood of the sacrifice of a rooster has the effect to regenerate the spirit. Large and powerful figure whose face combines features of the animal and of the Goli masks. Important sacrificial patina.

Provenance:

European private collection.

€ 15 000 - 20 000



14

A Dan mask

Wood - 40 cm

Liberia

Deangle, large mask with slit eyes and ridged forehead. Each eye surrounded by two triangles painted with kaolin. The *Deangle* embodies a positive and friendly spirit during the initiation process of the young men, playing the masquerade to the women of the village for food. They establish a link between the boys and the community.

In the corpus of the *Deangle* masks, the mask showing the triangles is extremely rare. The mask presents several layers of holes testifying to the several coiffures he received. This element and the general condition of the wood and its patina are witnesses of the great age of the mask.

Provenance:

Important European private collection.

€ 15 000 - 20 000





15

A Ligbe mask

Wood and brass nails - 51 cm
Ivory Coast

Powerful geometric construction of the horns balanced by the curves of the face. Beautiful patina.

A mask by the same hand sold by Henri Kamer in 1970 has been auctioned at Sotheby's in June 2007.

Provenance:

Acquired from Lawrence Sunde, Copenhagen in the 1960's.
Danish private collection.

€ 1500 - 2000



16

A Mano mask

Wood - 21 cm
Ivory Coast/Liberia

The delicate oval face with feminine features shows a mouth opened partway with smooth lips, domed forehead and the characteristic small pierced ears. Extremely elegant profile. Magnificent patina with multiple nuances of the original organic lacquer on the wood.

Old label on the back mentioning:
A. WA. 87

Provenance:
Pierre Darteville, Brussels.

Published:
Arts d'Afrique Noire, n.68, 1988, p. 56.

€ 6000 - 8000



17

A Gelede mask

Wood - 30 cm

Nigeria

Gelede, helmet mask with
a very delicate expression.
Old and dense patina.

Provenance:

'Steyler Missionare' from
the Ethnographic Museum
'Haus Völker Und Kulturen',
Sankt Augustin.
Private collection, Brussels.

€ 1500 - 2000

18

A Baule figure

Wood - 53 cm

Ivory Coast

Blolo-bian, large figure remarkable by its determined attitude. Male figure standing with two feet joined to form the base, arms held to the side, hands placed on either side of the protruding bellybutton, scarification marks carved on the face and neck, coffee bean eyes, finely braided coiffure. Nuanced shiny red-brown patina.

Provenance:

Collected by Roger Villamur, (1868-...)
author the reference work: 'Notre colonie de la Côte d'Ivoire' published by Challamel, Librairie maritime et coloniale, Paris, 1903.
By descent.

€ 6000 - 8000





19

A Yoruba staff

Wood - 35 cm

Nigeria

Oshe Shango, the finely carved female Shango priest holding a fowl in the right hand and a goat in her left hand, kneeling on a circular flat base is devoted to her God with the Shango's favourite sacrificial animals. The breasts projecting forward and adorned with a traditional jewel, the face has very delicate features and is engraved with traditional scarification marks, the coiffure tied in a bun and projecting backward is finely carved. Old and fine dark-brown and reddish patina, lightly crusted.

Provenance:

Important European private collection.

€ 12000 - 15000





20

An Igbo seat

Wood - 38 cm

Nigeria

Caryatid chair composed of four characters on an oval base, two of them presenting a large traditional *Igbo* coiffure and holding a flute. Powerful and hieratic sculpture. Old collection label.

An other *Igbo* chair of the same construction can be seen in W.O. Oldman, Illustrated Catalogue of Ethnographic Specimens, No 59, 1906.

Provenance:

Acquired from Lawrence Sunde,
Copenhagen in the 1960's.
Danish collection.

€ 4000 - 6000

21

A Mumuye figure

Wood - 38,5 cm

Nigeria

Lagalagana, small ancestor figure of characteristic posture. The long torso framed by the detached z-shaped arms, the legs marked by two deep cuttings, falling shoulders, head with a stylized face marked by scarifications surmounted by a crested coiffure with outsized pierced lobes aside. Black and crusted patina.

Provenance:

French private collection.

€ 4000 - 6000





22

A Bangwa memorial ancestor

Wood - 64 cm

Cameroon

In Cameroon, these figures, known as *Lefem*, are carved as representation of a king during or after his lifetime. They are kept in the palace and shown at the funeral of the leader or during the installation of his successor as a symbol of dynastic power and to fortify the royal ancestral authority.

This commemorative figure represents a seated king presented as royal by their ceremonial attributes, chiefly cap, a sword and a pipe, a typical regalia of a Fon. During the ceremonies, the figures receive important sacrificial libations constituting the thick blacken incrustation.

The figure illustrates perfectly the style of the Bangwa carvers and their values: power, pride and independence.

Provenance:

Collected by Bernd Muhlack in 1971.

€ 20000 - 30000





23

A Mambilla figure

Wood - 40 cm

Cameroon, Nigeria

Tadep, the large figure is a beautiful example of the outstanding creativity of the Mambilla carvers. The rhythm of the sculpture is defined by the game of conserved and exaggerated proportions of the head, the chest and the arms.

Provenance:

Acquired from Paul Timmermans in 1968.
Private collection, Belgium.

€ 6000 - 8000

24

A rare Kwele mask

Wood and kaolin - 38 cm
Gabon

Bou, this mask, rarely represented belonged to the Beete society, which maintains social order. They are used in ceremonies to promote well being and community. According to Leon Siroto, this mask resembles the swallow. 'The Kwele greatly admired the swallow for its grace in flight and its lustrous plumage and, perhaps, for its absence during part of each year.' The back shows a very aged wood and marks of use.

See Siroto L., 'East of the Atlantic, West of the Congo. Art from Equatorial Africa. The Dwight and Blossom Strong Collection', San Francisco: The Fine Arts Museum of San Francisco, 1995, page 31, fig.13.
Sotheby's, London - June 1987, lot 204.

Provenance:

Ex Jacques Kerchache collection.
Acquired during the sale, Intérieurs : Collection Jacques Kerchache at Christie's the 29 October 2008 in Paris.
Private collection, Paris.

€ 18000 - 25000



25

A rare Bembe maternity

Wood and porcelain - 16 cm
R. Congo

Female character carrying a baby astride her shoulders. The abdomen is finely decorated with scarification marks.

Provenance:

Collected by Marcel Leloup between 1924 and 1932, founder of the first great arboretum in M'Boku N'Situ, Mayombe and former FAO director, division of the Forestry and Forest Products Division.

€ 4000 - 6000



26

A Bembe seated figure

Wood - 14 cm
R. Congo

Male figure sitting on a cubic object symbolizing the casket containing the relics.

Provenance:

Collected by Marcel Leloup between 1924 and 1932, founder of the first great arboretum in M'Boku N'Situ, Mayombe and former FAO director, division of the Forestry and Forest Products Division.

€ 2000 - 3000



27

A Bembe figure

Wood - 17 cm
R. Congo

Standing female character, soft curves and abdominal scarifications. The object is pierced with three holes.

Provenance:

Collected by Marcel Leloup between 1924 and 1932, founder of the first great arboretum in M'Boku N'Situ, Mayombe and former FAO director, division of the Forestry and Forest Products Division.

€ 1500 - 2000



A Yombe maternity

Wood - 40,5 cm

D.R. Congo

Phemba, female figure sitting cross-legged on a cubic base, a child resting on her knees, one hand placed on her legs, the other holding the child's head; her forearms, biceps, chest and neck are adorned with bracelets and necklaces; the breast and the back decorated by ritual scarifications, head surmounted with a mitre-shaped coiffure.

Symbol of the dignity and contemplation of the matriarch, an idealized image of women's role and, by implication, of the growth and wealth of the kingdom. This type of sculpture may also be used to underline the positive functioning of variant aspects of the community's life: trade, healing and conflicts resolution.

Provenance:

H. Van Roy Collection, Ghent, Belgium.

W. Van Becelaere, Antwerp, Belgium.

Sotheby's New York, 17 may 2002, lot 139.

€ 8000 - 12000



29

A Teke necklace

Copper - 36,5 cm
D.R. Congo

Disk-shaped, thin brass necklace
showing geometrical patterns.

Provenance:

Alfred Dewevre (1866-1897),
botanist for the independent
state of Congo from 1895 to 1897.
By descent.

€ 800 - 1200

30

A Vili figure

Wood, glass, resin
and various material - 28 cm
D.R. Congo

Nkisi, this sculpture once belonged to a sorcerer who used it as a tool to control and contain a spiritual force. The force was drawn to the figure by the application of medicines packed in resin on in a projecting box, sealed by a mirror, on its abdomen.

For a similar exemplar, see Lehuard, p.243, 1989 and Metropolitan Museum of Art, 1978.412.533.

Provenance:
Lucien Van de Velde, Antwerp, 1992.

€ 8000 - 12000





31

A Kongo figure

Wood - 38 cm

D.R. Congo

Standing on a square base with its chest leaning forward with domed coiffure. Its left hand resting on the hip while the right hand in a gesture of holding a weapon.

Provenance:

Important European collection.

€ 6000 - 8000

32

A Kongo figure

Wood - 28 cm

D.R. Congo

Standing on a square base,
with arms held to the side,
a stylized face, geometrical body
and miter-shaped coiffure.

Provenance:

Pierre Darteville, Brussels.

€ 6000 - 8000





33

A Yaka figure

Wood - 19,5 cm
D.R. Congo

Small and delicate female figure is composed with a great rhythm, the Z-shaped legs supporting the torso with prominent breast. The circular face composed of coffee bean eyes and the hooked nose, crested coiffure.

Provenance:
French Private collection, Paris.

€ 1200 - 1500

34

A Kongo handle

Wood and brass nails - 24 cm
D.R. Congo

Probably part of flywhisk, nice shiny and black patina of use, softened on the edges, shiny black, brass nails.

Provenance:
Private collection, Belgium.

€ 1800 - 2200



35

A large Yaka figure

Wood - 64 cm

D.R. Congo

Probably one of the largest known *Yaka* figure, standing male character with the two hands on the chest, red pigments on the torso, hair crest composed of four lobes.

Provenance:

Collection Jacques Broussard, Paris.

Ader Picard Tajan, 18 December 1990, lot 75.

Belgian private collection.

€ 6000 - 8000





36

A Yaka figure

Wood and various materials - 33,5 cm
D.R. Congo

Standing male figure with typical head supporting a radiating coiffure with button on top. Ritual materials packed in small pieces of cloth are hanged on the arms.

Reddish wood with traces of ochre yellow pigments.

Provenance:
French collection, Paris.

€ 3000 - 4000

37

A Pende cup

Wood - 21 cm
D.R. Congo

Rare and beautiful
anthropomorphic cup.
The figure shows by
its position and its face
a delicate feeling of grace
of introspection.

Provenance:

Brought back by Alfred
Dewevre (1866-1897), botanist
for the Independent state of
Congo from 1895 to 1897.
By descent.

€ 2000 - 3000



38

A Kuba divination implement

Wood and fibres - 29 cm

D.R. Congo

Itoom, rubbing or friction oracle depicting a stylized horned animal. The small wooden peg is rubbed across the flattened back of the animal figure during divination ceremonies. Beautiful shiny patina of use.

Provenance:

Belgian private collection.

€ 2000 - 3000



39

A Pende mask

Wood, fibres and pigments - 63 cm
D.R. Congo

Giwoyo, during the performance, the mask is worn by the dancer horizontally, like a hat. According to Pende specialists, it is the stylized representation of a death person lying on his bed, showed like an exposed body during a funeral wake. The eyes are open to show the look of dead.

Provenance:

Acquired from Marc Leo Felix in 1977, Brussels

Published:

Frank Herreman, *De Huid Van het Beeld*, 1986, cover and cat.6.

Debbaut J., *Utotombo, L'Art d'Afrique Noire dans les Collections privées Belges, Société des Expositions du Palais des beaux Arts, Bruxelles*, 1988, p. 100.

€ 10000 - 15000



40

A Kuba cup

Wood and copper - 17 cm
D.R. Congo



Anthropomorphic cup. Very attractive object due to its refinement and its expressiveness. The simplified representation of the human body favours a great expression of carving skills through the patterns of scarification. The brass plates testify the high ranking of its owner. The circles in front of the ears are related to the care of the headaches caused by the malaria.

An example from the same hand is in the collection of the Royal Museum for Central Africa in Tervuren (EO.0.0.18794). It entered the collection of R.P.C. De Deken in 1887 and The Scheut Fathers donated his collection to the Museum in 1914. The object is published in Joseph Cornet, 'Art de l'Afrique noire au pays du fleuve Zaïre', Brussels, Arcade, 1972,.

Provenance:
Private collection, Belgium.

€ 10000 - 15000



41

A Twa neckrest

Wood - 25 cm

D.R. Congo

A rare double figure neckrest, the *Twa* were nomadic hunters and the only pygmy group known to produce woodcarvings. Only five examples are known, see the Joseph Mueller Collection, Christies, June 1978, lot 161 or the one in the William W.Brill, Sotheby's, November 2006, lot 105.

Provenance:

Probably Drouot 1986.

Belgian private collection.

€ 3000 - 5000



42

A Kuba Ngoombe figure

Wood - 29 cm

D.R. Congo

The figure presents the same typology of the famous *Etotshi* ancestors figures of Dengese people. The *Etotshi* represents the highest level of the society and gives to its members a great power. The figure is more fluid in the style and comes probably from a neighbour from the Dengese, the Ngoombe, known for their highly expressive masks carving.

The figure arrived in Belgium in the last decade of the nineteenth century.

The condition of the wood indicates and long term use that might situate the date of creation around the mid nineteenth century. Traces of kaolin on the face supposed a use in the burial process and tombs of the *Etotshi* members of the Dengese people.

Provenance:

Brought back by Alfred Dewevre (1866-1897), botanist for the independent state of Congo from 1895 to 1897. By descent.

€ 2000 - 3000



43

A Chokwe whistle

Wood and metal - 10 cm

D.R. Congo

Nicely carved face with a coiffure topped by two horns. Beautiful patina of use.

Provenance:

Collected by Mr Sugg, Forminière between 1918 and 1948.

By descent.

€ 600 - 800



44

A Chokwe seat

Wood - 18 cm

D.R. Congo

Caryatid seat showing a crouching woman in a attitude of lamentation. Dark shiny patina.

Provenance:

Collected by Mr Sugg, Forminière between 1918 and 1948.

By descent.

€ 1000 - 1500

45

A rare Chokwe figure

Wood and sacrificial
materials - 26 cm
Angola

The large coiffure depicts
the representation of a chief.
The face is prolonged by a long
beard. Probably used in a divination
context according to the black
crusted patina covering the body.
Brass nails in place of the eyes.

Provenance:
Private collection, Belgium.

€ 15 000 - 20 000



46

A Chokwe Songo headrest

Wood - 12 cm

Angola

On a long base, the support carved as a stylized human character riding a quadruped animal. Of small size, the neckrest is almost a miniature but showing the delicate features of great object. Light honey patina and traces of use.

Provenance:
Belgian private collection.

€ 5000 - 6000



47

A Luba caryatid stool

Wood and shells - 43 cm
D.R. Congo

The round seat supported by a female character standing on bent legs. Traditional scarifications on the belly and on the back. The eyes encrusted with cowries. The condition of the wood reveals an important use and a beautiful brownish and reddish shiny patina.

For an other exemple from the same hand, see MAS - Ethnographic Museum, Antwerp, Belgium, from the collection of Henry Pareyn, before 1928 and published in 'De Congolees in Westerse en Eigen Kunst', Amsterdam: Koninklijk Instituut voor de Tropen, 1955.

Provenance:

Ader Jean Picard, 21 may 1990, lot 108, Paris.
Pierre Darteville, 1992.

Published:

Adam C., Kunst uit zwart Afrika: (uit prive kollekties), fig 117, Antwerpen, 1982.

€ 8000 - 12000



48

A Luba figure

Wood and fibres - 17,5 cm

D.R. Congo

Of nearly abstract form,
partly eroded deep black
oily patina.

Provenance:

Belgian private collection.

€ 1000 - 1500



49

A Songye divination implement

Wood - 11 cm

D.R. Congo

On a circular base, with a typical
songye head, shiny patina from
brown to black.

Provenance:

Belgian private collection.

€ 800 - 1200

50

A Luba janus ritual object

Wood, hair, resin and oil - 16,5 cm

D.R. Congo

Janus figure with medicinal charge on the head, it was probably a vehicle for healing and protection purpose. According to Roberts and Roberts in 1996, The Janus faces look in opposite directions signifies vision into the other, ordinarily invisible world. Many Luba figures are considered void until charged with substances.

By enhancing the object in this way, the ritual specialist invites the spirit to inhabit the receptacle, which can then be used to assist with particular tasks. Reddish to black oily patina.

Provenance:

Michel Gaud Collection, Saint Tropez, France.
Private Collection, Paris, France.

€ 20 000 - 25 000





51

A Luba caryatid stool

Wood and brass nails - 46 cm
D.R. Congo

The round seat supported by a female character standing on bent legs a skirt around the hips. Ringed neck, ritual scarifications on the torso, long ringed neck. Covered by upholstery brass tacks.

For a similar exemplar, see Krieger, 1969, volume 3, pl. 279 in the collection of the Ethnologisches Museum, Berlin.

Provenance:

Pierre dartevelle, September 1991, Brussels
Belgian private collection.

€ 8000 - 12000

52

A Mbole figure

Wood - 40 cm

D.R. Congo

Ofika, figures such as this one were formerly hung to warn male initiates from the Lilwa society about the serious consequences of divulging the association's secrets to women. Thus, this figure served as a kind of boundary marker between men's and women's domains of knowledge and power. Deep patina of use covered by red pigments.

Provenance:

Acquired at Drouot in march 1974.

Sotheby's, New York, 22 november 1998, lot 318.

Belgian private collection.

€ 8000 - 12000





53

Four Ngbandi whistles

Wood and resin - 12 to 29 cm

D.R. Congo

These extremely rare small artefacts were used for initiations and kept as protecting charm for hunt and war. One with a small magical charge and an Ngbandi typical face, beautiful patina of use.

See in J.-L. Grootaers, Ubangi,
p. 146, fig.4.4

€ 1000 - 1500

54

A Ngombe Ngbandi shield

Wood and rattan - 126 cm

D.R. Congo

Vara, decorated by geometrical patterns, the iron bell in the middle is added to create noise during battle. Shield's rime lined with wildcat skin, local restorations and holes probably made by arrows and weapon during combats.

€ 2000 - 3000





55

A Zande figure

Wood - 27,5 cm

D.R. Congo

Female figure standing on the legs, short arms, large round lifted head, shiny black patina reddish on the edges.

€ 1500 - 2000

56

A Zande figure

Wood, 41 cm

D.R. Congo

Of nearly abstract forms, the stylised cylindrical body covered by ritual marks is supported by two short legs, z-shaped arms, large spherical head with schematized features.

Provenance:

Julien Quackelbeen collection,
Ghent, Belgium.

€ 4000 - 6000





57

A beautiful Zaramo calabash

Wood and calabash - 23 cm

Tanzania

On top of a bilobed calabash, the rise of the harmonious curves and proportions of the female character tend to generate the large crest of the coiffure. Dark and oily patina.

A very close object coming from the collection of Philippe Guimiot was sold by Sotheby's in June 2009.

Provenance:

European private collection.

€ 3000 - 5000



58

A rare Pare stopper

Wood - 22 cm

Tanzania

Coming from a small corpus of carvings, the best-known being kept in the collection of the Ethnological Museum of Berlin. This stopper is remarkable by the high rate of creativity and the liberty taken by the artist to produce this very expressive and very coherent work.

Provenance:
European private collection.

€ 3000 - 5000

Oceania

59

A Korwar figure

Wood and cloth - 21 cm

Papua New Guinea - Geelvink bay

This figure embodies the spirit of the deceased and is used by the living as an intermediary to communicate with this spirit and ask for help or guidance.

Provenance:

Acquired at Christie's Amsterdam

12 December 2000, lot 569.

Private collection, Belgium.

€ 2000 - 3000





60

A lwaino figure

Mangrove root
and pigments - 141 cm
Papua New Guinea

Imunu, depicting a spirit
ancestor as a dancing figure.
Imunu can be translated
by 'vital force'. Made of
a mangrove root.

Provenance:

Private Dutch collection, Den Haag.

€ 4000 - 6000

61

A Sepik figure

Wood - 129 cm
Papua New Guinea

A female ancestor figure
with swing arms and hands
on the side. Middle Sepik
River, black patina.

Provenance:
Acquired in the 70's
from René and Odette Delenne,
Galerie Antilope, Brussels.

€ 2000 - 3000





62

A Laua shield

Wood and pigments - 52 cm
Papua New Guinea

Elema shields were not carried by a handle on the back, rather, they were suspended over the shoulder by a cane or fibre loop.

Provenance:

Acquired from Duprez in 1931, Brussels.
Yvan Lepage Collection, Belgium.

€ 3000 - 5000

63

Two large Sepik figures

Wood - 180 and 188 cm
Papua New Guinea

Two large ancestors figures,
probably ornamental elements.
Aged weathered patina. Middle
Sepik river, Sawos people.

Provenance:

Acquired in the 70's
from René and Odette Delenne,
Galerie Antilope, Brussels.

€ 2000 - 3000





64

A Solomon staff

Wood and mother-of-pearl - 38 cm
Solomon Islands

Wari i hau, from Malaita island,
rank staff decorated by small pieces
of mother-of-pearl. Fine patina of use.

Provenance:
Private collection, Belgium.

€ 600 - 800

65

A large Royal Kava bowl

Wood - 98,5 cm

Tonga

Kumete, Kava is a ritual drink made from an infusion of pounded dried roots of *Piper Methysticum*, a species of pepper plant. The wooden bowls are and the older ones, such as this example, are thin walled with a shallow bowl and a carved lip that flares outward in a graceful curve. When a new king takes his throne or a new chief is established in his title, he must participate in the *pongipongi*, ancient *Kava* ceremonies to make his rule official.

Provenance:

This *Kumete* has been used at the coronation of Queen Salote Tupou III in 1918. It was used when she took her first cup of Kava leaning back on the *Koka* (ceremonial staff), as a sign of being the rightful monarch of Tonga. It was also used at the coronation of George Tupou IV on the 16 December 1965. This was the last time it was used at a royal official function. The name of this specific *Kumete* is *Tuku'aho*. The *Tuku'aho*, the original owner of the *Kumete*, was the last in line of the *Tu'i Ha'a Takalaua*, the second line of kings to rule in Tonga. It has also been used at Kava ceremonies in officiating the new nobles title.

The following group of objects are the property of an old Tongan family of a former Tu'ivakano (Tongan prime minister), (Lot 65 to 69).



Queen Salote Tupou III in the 30's.

€ 4000 - 6000



66

A Tongan headrest

Wood - 44,5 cm

Tonga

Kali Hahapo, of classic shape, cut from one piece of wood. Restoration on one leg.

Provenance:

The *Kali* comes from the actual owner family. The grandmother was the daughter of the *Tu'ivakano* (Tongan Prime Minister).

€ 3000 - 4000





67

A rare Tongan basket

Fibres, diam. 30 cm

Tonga

Kato Alu, basket of the rounded made of cane spiral fastened with tendrils.

Provenance:

From an old Tongan family.

€ 2000 - 3000

68

A Tongan headrest

Wood - 33,5 cm

Tonga

Kali Hahapo, of classic shape, cut from one piece of wood. Restoration.

Provenance:

From an old Tongan family.

€ 2000 - 3000



69

A Tongan neckrest

Wood - 61 cm

Tonga

Kali Laloni, carved from
a single piece of wood.

Provenance:

From an old Tongan family.

€ 2000 - 3000



70

A Kanak mask

Wood - 27,5 cm

New Caledonia

Dance masks were originally worn as the centrepieces of elaborate costumes consisting of headgear, face and clothing. The headgear is associated with the *tidi* or traditional hat worn by high-ranking elders, and includes human hair cut from men who had performed funerary rituals for the chief. Shiny patina with the multiple nuances of the original organic black lacquer on the wood, traces of use on the back.

Provenance:

Private collection, Bordeaux, France.

€ 6000 - 8000



Northern territories

71

A shamanic ivory figure

Mammoth ivory - 5,5 cm

Probably Eastern Siberia

Circa 5000 to 1000 BC

Small Ivory amulet depicting an anthropomorphic figure wearing an anorak, round head, the 2 hands on the belly, short legs. The condition of the surface attests the piece's great age and the taphonomic differences between the two sides are due to the rootlets.

These kind object were used by shamans as protection during their 'ecstatic journey'.

Shamans are intermediaries between the human world and the spirit worlds. They are said to treat illness by mending the soul. The shaman also enters super natural realms or dimensions to obtain solutions to problems afflicting the community. The shaman operates primarily within the spiritual world, which in turn affects the human world.

Provenance:

European private collection.

€ 3000 - 5000



72

A man in kayak figure

Wood - 38 cm

Alaska

A wooden man pegged into his kayak, holes are drilled through both ends of the kayak, probably for suspension. From Cape Nome. The kayak hung from the rafters in a shamanic ceremony

Provenance:

Ex Josephine L. Reader collection.

Published:

Eskimo Art, Tradition and innovation in North Alaska, Dorothy Jean Ray, university of Washington, june 1977, p. 119, fig. 56.

€ 3500 - 4500



73

A thumb rest from a harpoon

Walrus ivory - 4,5 cm

Alaska

Brevig mission, close to Teller.
Thule 16 - 17th century.

€ 1500 - 2000



74

A bear with spirit head

Walrus ivory - 12 cm

Alaska

Brevig mission close to Teller.

Thule 16 - 17th century.

€ 3000 - 4000



75

A bear-wolf hunters spirit amulet

Walrus ivory - 6,5 cm
Alaska

Brevig mission, close to Teller.
Thule 16 - 17th century.

€ 1500 - 2000



76

3 fishing lures, Thule

Ivory - 6 from 7,5 cm
Alaska

For tomcod, Cape Denby,
18th century.

€ 200 - 400





77

A Thule figure

Ivory - 9,5 cm

Port Clarence, Alaska

Anthropomorphic
ceremonial piece,
17-18th century.

€ 3000 - 5000

78

A Thule bear figure

Ivory - 18 cm
Alaska

Excavated at St. Lawrence
Island. 13th century.

€ 500 - 600



CONDITIONS OF SALE – NATIVE SPRL

Taking part in auctions constitutes unconditional acceptance of these Conditions of Sale.

1. Auctions and state of the objects

a) The objects at auction are put up for auction by Native on behalf and in the name of the person who has deposited them ("Vendor").

Adjudication is made in favour of the highest bidder in Euros acknowledged by Native at the time of the auction ("Buyer") and the Sales Contract between the depositor and the Buyer is concluded by this adjudication.

The object being sold is released to the Buyer only against payment in cash or bank transfer. To be accepted as means of payment, cheques must be cleared by the bank on which they are drawn before the object auctioned can be released.

b) Objects are put in the auction in the state in which they are found at the time of the auction. Subject to point 1 c. below, any guarantee for material damage or legal damages is excluded.

The objects are on display during the event. The descriptions shown in catalogues, advertisements, brochures or any other article or document issued by Native are given purely by way of illustration. They in no way commit the liability of Native. Consequently, Native guarantees neither the accuracy of the explanatory notes contained in the catalogue, nor the origin, date, age, cultural background or provenance of the objects put up for auction. It is the depositor who is solely liable for the explanatory notes in the catalogue. Native agrees to reproduce them in the catalogue only in its capacity as agent for the depositor.

c) Native freely states that it is prepared to cancel the auction on behalf of the depositor and refund only the hammer price, commission and VAT if an object sold should prove, within 1 year from the date of the auction, to be a modern intentional fake. By modern intentional fake is to be understood a reproduction which it can be proved has been made with the intention of falsely deceiving others whether in respect of origin, date, age, cultural background or source, without this having been shown in the catalogue.

The condition for this refund is that the Buyer send an immediate claim by registered letter to Native as soon as the defect has come to light and at the latest by 1 year from the date of the auction and that he immediately return the fake object in the same state as on the day of the auction and exempt of any third-party claim. The Buyer must provide proof that the object auctioned is a fake compared with the description in the catalogue and that the object is identical to the item auctioned. Any other claim by the Buyer is excluded.

d) Buyers must, at their own expense, come and collect the objects auctioned within 7 days from the end of the auction during opening times at Native, namely from Monday to Friday 10.00 to 13.00 and 14.00 to 17.30. If sufficient time is available, objects will be released after each session. In accordance with point 1, handover will be against payment in cash.

During the abovementioned period, Native is liable for the loss, theft, damage or destruction of the objects auctioned and paid for, although only up to the amount of the price of the auction, commission and VAT. On the expiry of this period, Native's liability ceases. If the objects auctioned are not withdrawn within 7 days, they will be stored at the expense and risk of the Buyer:

e) Each Buyer is personally responsible for the item awarded to him at auction. Proof of powers of attorney may be required from persons acting as third-party representatives or as an organ of a corporate body. The representative is jointly and severally liable with the person represented for meeting all commitments.

2. Hammer price, commission, risk transfer, ownership transfer, payment, invoicing, VAT, importing and exporting

a) In addition to the hammer price, the Buyer owes a supplement ("commission") on the hammer price. Commission is 20% of the hammer price.

The Buyer must also pay Belgian VAT (21%) calculated only on the commission.

For lots where the Vendor is a non-resident of the EU (lots indicated by \$), the Buyer will pay an import tax of 6% in addition to the bid price plus legal costs. The amount of this tax will be reimbursed on presentation of proof of export outside the EEC.

b) Ownership of the object auctioned passes to the Buyer once the hammer has come down finally. Until full payment of the hammer price, commission and VAT, Native reserves a right of retention and lien on all objects in its keeping. The release of the auctioned object to the Buyer is not made until after full payment of the hammer price, commission and VAT.

c) An auctioned object must be paid for within 7 days after the auction. If the Buyer remains in default on payment 30 days after the auction, any sum due at that time will, as of right and without any formal notification being necessary, be subject to interest on arrears of 10% per annum. Moreover, in the event of non-payment by the final deadline, any sum due will be increased as of right by a flat-rate indemnity of 15%, without prejudice to Native's right to seek full reparation of the damage suffered.

In addition, if the payment due by the Buyer does not take place or is not made in time, Native can, as it chooses and in the name of the depositor, either continue to demand that the sales contract be executed or, without being bound to set a fixed time, waive the right to require execution of the sales contract and claim damages for non-execution or even renounce the contract. The Buyer is liable in respect of Native and the depositor for all damages resulting from non-payment or late payment.

d) The exporting of any object from Belgium and the importing into a third country may be subject to particular authorisations. The Buyer is responsible for obtaining all necessary export or import licences. Refusal of these authorisations or any delays after they have been obtained will in no case be grounds for a cancellation of the sale or a delay in payment.

3. Registration and attendance at the Sale

a) The submission of a bid or an absentee bid unconditionally and irrevocably binds the bidder. The bidder remains bound to his offer until this becomes the subject of a higher bid or is rejected by Native. Double bids become the subject of an immediate new call to bid; in cases where there is doubt, the senior auctioneer decides the matter by drawing lots.

b) Bidders who are not personally known to Native are bound to give legitimate proof of identity before the beginning of the auction. Native reserves the right to request proof of the bidder's solvency. If this latter document is not available, Native is authorised to demand the immediate payment of a cash deposit equal to 10% of the auction price or the lodging of a guarantee. If this deposit is not paid or guarantee lodged, Native is authorised on behalf of the depositor to cancel the auction.

c) Native is free to reject a bid without giving reasons. Similarly, it is within its rights to hold an auction without selling or withdraw objects from the auction. Native reserves the right to refuse any person access to its commercial premises or forbid any person from taking part in one of its auctions.

d) Bids from interested parties who do not wish to attend the auction personally will be taken into consideration if they communicate such a wish in writing 24 hours before the start of the auction.

Interested persons can bid by telephone if they have not announced their wishes in writing at least 24 hours before the start of the auction. Native accepts bids by telephone for lots whose lowest estimate reaches at least €1,000.

Native disclaims all responsibility for offers which have not been taken into account as well as for bids made by telephone which may not have been taken into account.

The rules set down in point 3b in respect of providing proof of identity and solvency also apply to persons bidding by telephone or in writing. For bidders who place their offer via the Internet, in other words an absentee bid, point 3b applies only in respect of solvency.

4. Miscellaneous

The auction is held under the joint authority of a huissier de justice (Court Justice). Any liability on the part of Native arising from acts attributable to the huissier involved is excluded.

b) The foregoing stipulations are an integral part of each individual sales contract concluded at sales by auction. Amendments to them are in no way binding unless Native has given its agreement to them in writing.

c) Any dispute on the validity, interpretation and execution of these Conditions of Sale and any dispute on the conducting of the auctions will be subject to Belgian law, with the exception of (a) the stipulations of the Vienna Convention on international sales contracts and (b) the rules of referral to Belgian international private law.

d) Only the courts and tribunals of Brussels are competent to rule on any disputes.

CONDITIONS DEVENTE – NATIVE SPRL

La participation aux enchères emporte l'acceptation inconditionnelle aux présentes conditions de vente.

1. Enchères et état des objets

a) Les objets d'enchères sont mis aux enchères par Native pour le compte et au nom de celui qui les a déposés ("vendeur").

L'adjudication a lieu au plus offrant en Euros reconnu par Native lors de la vente aux enchères ("Acheteur"); le contrat de vente entre le déposant et l'Acheteur est conclu par cette adjudication.

L'objet de la vente n'est remis à l'Acheteur que contre un paiement en espèces ou transfert bancaire. Pour être admis comme moyens de paiement, les chèques doivent être confirmés par la banque tirée avant la délivrance de l'objet adjudgé.

b) Les objets sont mis aux enchères dans l'état dans lequel ils se trouvent au moment de l'adjudication. Sous réserve du point 1.c. ci-dessous, toute garantie pour dommages matériels ou juridiques est exclue.

Les objets sont visibles pendant l'exposition. Les descriptions figurant dans les catalogues, annonces, brochures ou tout autre écrit émanant de Native ne sont données qu'à titre purement indicatif. Elles n'engagent en aucun cas la responsabilité de Native. Par conséquent, cette dernière ne garantit ni l'exactitude des notices explicatives reprises dans le catalogue, ni l'origine, la date, l'âge, le cercle de culture ni la provenance des objets mis aux enchères. Les notices explicatives reprises dans le catalogue relèvent de la seule responsabilité du déposant. Native n'accepte de les reproduire dans le catalogue qu'en tant qu'intermédiaire de ce dernier.

c) Native se déclare librement disposée à annuler l'adjudication au nom du déposant et à rembourser uniquement le prix de l'adjudication, la commission et la TVA, si un objet vendu devait s'avérer, dans un délai de 1 an à compter de la date de l'adjudication, être le résultat d'un faux intentionnel moderne. Il faut entendre par faux intentionnel moderne une reproduction dont il est prouvable qu'elle a été faite dans l'intention de tromper fallacieusement autrui, que ce soit en ce qui concerne l'origine, la date, l'âge, le cercle de culture ou la source, sans que cela ressorte du catalogue.

La condition de ce remboursement est que l'Acheteur adresse une réclamation immédiate, sous pli recommandé adressé à Native, dès la découverte du vice et au plus tard dans un délai de 1 an à compter de la date de l'adjudication, et qu'il restitue immédiatement l'objet falsifié à Native dans le même état que le jour de l'adjudication et exempt de toute prétention de tiers. L'Acheteur doit fournir la preuve que l'objet adjudgé est un faux par rapport à la description du catalogue et que l'objet est identique à la chose adjudgée. Toute autre prétention de l'Acheteur est exclue.

d) Les Acheteurs doivent venir chercher, à leurs propres frais, les objets adjudgés dans les 7 jours qui suivent la clôture de la vente aux enchères, pendant l'horaire d'ouverture de Native, soit du lundi au vendredi de 10h00 à 13h00 et de 14h00 à 17h30. Si le temps à disposition est suffisant, les objets seront délivrés après chaque séance. Conformément au point 1., la remise a lieu contre paiement en espèces.

Pendant le délai précité, Native est responsable de la perte, du vol, de l'endommagement ou de la destruction des objets adjudgés et payés, à concurrence toutefois du montant du prix de l'adjudication, de la commission et de la TVA. À l'expiration de ce délai, la responsabilité de Native cesse. Si les objets adjudgés ne sont pas retirés dans les 7 jours, ils seront entreposés aux frais et aux risques de l'Acheteur.

e) Chaque Acheteur répond personnellement de l'adjudication qui lui a été faite. La preuve de pouvoirs de représentation peut être exigée de personnes qui agissent comme représentants pour le compte de tiers ou comme organe d'une personne morale. Le représentant répond solidairement avec le représenté de l'accomplissement de tous les engagements.

2. Prix de l'adjudication, commission, transfert des risques, transfert de la propriété, paiement, facturation, TVA, importation et exportation

a) Outre le prix d'adjudication, l'Acheteur est débiteur d'un supplément ("commission") sur le prix d'adjudication. La commission est de 20% du prix d'adjudication.

L'Acheteur doit également s'acquitter de la TVA belge (21%) calculée uniquement sur la commission.

Pour les lots dont le vendeur est non-résident de l'EU (lots signalés par ₣) l'adjudicataire paiera une taxe importation de 6% en sus de l'adjudication, plus les frais légaux. Le montant de cette taxe sera remboursé sur présentation de la preuve d'exportation hors CEE.

b) La propriété de l'objet adjudgé passe à l'Acheteur dès l'adjudication. Jusqu'au complet paiement du prix de l'adjudication, de la commission et de la TVA, Native se réserve un droit de rétention et de gage sur tous les objets sous sa garde. La délivrance de l'objet adjudgé à l'Acheteur n'intervient qu'après complet paiement du prix de l'adjudication, de la commission et de la TVA.

c) Un objet adjudgé doit être payé dans les 7 jours dès la clôture de la vente aux enchères. Si l'Acheteur est resté en défaut de paiement 30 jours après l'adjudication, toute somme due à ce moment portera, de plein droit et sans mise en demeure préalable, un intérêt moratoire de 10% par an. En outre, en cas de non paiement à l'échéance, toute somme due sera majorée de plein droit d'une indemnité forfaitaire de 15%, sans préjudice du droit de Native de postuler la réparation intégrale du dommage subi.

En outre, si le paiement dû par l'Acheteur n'a pas lieu ou n'intervient pas à temps, Native peut, à son choix et au nom du déposant, soit continuer à exiger l'exécution du contrat de vente, soit sans être tenu d'impartir un délai renoncer au droit de demander l'exécution du contrat et réclamer des dommages et intérêts pour cause d'inexécution ou encore se départir du contrat. L'Acheteur est responsable vis-à-vis de Native et du déposant de tous les dommages découlant du non-paiement ou du paiement tardif.

d) L'exportation de tout objet hors de la Belgique et l'importation dans un pays tiers peuvent être sujettes à des autorisations particulières. L'Acheteur est responsable de l'obtention de toutes les autorisations requises à l'exportation ou à l'importation. Le refus de ces autorisations, ou tous retards consécutifs à leur obtention, ne justifiera en aucun cas l'annulation de la vente ni un retard de paiement.

3. Enregistrement et participation à la vente

a) La remise d'une enchère ou d'un ordre d'achat "absentee bid" lie inconditionnellement et irrévocablement l'enchérisseur. L'enchérisseur demeure lié à son offre jusqu'à ce que celle-ci fasse l'objet d'une surenchère ou qu'elle soit écartée par Native. Les enchères doubles font l'objet d'un nouvel appel immédiat; dans les cas douteux, la direction des enchères tranche par tirage au sort.

b) Les enchérisseurs qui ne sont pas personnellement connus de Native sont tenus de se légitimer avant le début de la vente aux enchères. Native se réserve le droit d'exiger une preuve de la solvabilité de l'enchérisseur. Si ce dernier document fait défaut, Native est habilitée à exiger le paiement immédiat d'un acompte en espèces équivalent à 10% de l'adjudication ou le dépôt d'une garantie. À défaut du versement de cet acompte ou du dépôt de cette garantie, Native est autorisée au nom du déposant à annuler l'adjudication.

c) Native est libre d'écarter une enchère sans indication des motifs. De même, elle est en droit d'ajuster sans vente ou de retirer des objets de la vente aux enchères. Native se réserve le droit de refuser à toute personne l'accès à ses locaux commerciaux ou d'interdire à toute personne de participer à l'une de ses ventes aux enchères.

d) Les offres d'enchères émanant d'intéressés qui ne souhaitent pas assister personnellement à la vente aux enchères seront prises en considération par écrit jusqu'à 24 heures avant le début de la vente aux enchères.

Les personnes intéressées peuvent enchérir par téléphone si elles se sont annoncées par écrit au minimum 24 heures avant le début des enchères. Native accepte les enchères par téléphone pour des lots dont l'estimation basse atteint au moins 1000 €.

Native décline toute responsabilité pour les offres n'ayant pas été prises en considération ainsi que pour les enchères téléphoniques qui n'auraient pas été prises en compte.

Les normes prévues au point 3b. concernant la légitimation et la preuve de la solvabilité s'appliquent également aux enchérisseurs par téléphone et par écrit. Pour les enchérisseurs, qui donnent leur offre via Internet dans le cadre d'un ordre d'achat (absentee bid), le point 3b. ne s'applique qu'en ce qui concerne la solvabilité.

4. Divers

a) La vente aux enchères se déroule sous l'autorité conjointe d'un huissier de justice. Toute responsabilité de Native du fait d'actes imputables à l'huissier instrumentant est exclue.

b) Les dispositions qui précèdent font intégralement partie de chaque contrat individuel de vente conclu à l'occasion des ventes aux enchères. Leurs modifications n'ont de portée obligatoire que si Native leur a donné son accord écrit.

c) Tout litige relatif à la validité, l'interprétation et l'exécution des présentes conditions de vente et tout litige relatif au déroulement des enchères sera soumis au droit belge, à l'exception (a) des dispositions de la Convention de Vienne concernant les contrats de vente internationale et (b) des règles de renvoi du droit international privé belge.

d) Seuls les cours et tribunaux de Bruxelles sont compétents pour connaître d'éventuels litiges.

VERKOOPVOORWAARDEN – NATIVE BVBA

Het deelnemen aan het opbod veronderstelt de onvoorwaardelijke aanvaarding van onderhavige voorwaarden.

1. Opbod en staat van de voorwerpen

a) De ter veiling aangeboden voorwerpen worden door Native geveild voor rekening en in naam van de persoon die ze hiervoor heeft afgeleverd ('verkoper').

De toewijzing gebeurt aan diegene die tijdens de veiling door Native als hoogste bieder in euro wordt erkend ('koper') en geldt als verkoopovereenkomst tussen de verkoper en de koper.

Het voorwerp van de verkoop wordt alleen aan de koper overhandigd tegen contante betaling of na bankoverschrijving. In geval van betaling per cheque dient de uitgeschreven cheque te worden bevestigd door de bank waarop hij getrokken wordt, alvorens het toegewezen voorwerp wordt overhandigd.

b) De voorwerpen worden geveild in de staat waarin zij zich op het moment van de veiling bevinden. Onder voorbehoud van hierna vermeld punt 1.c. is elke garantie voor materiële of juridische schade uitgesloten.

De voorwerpen kunnen worden bezichtigd tijdens de tentoonstelling. De beschrijvingen in de catalogi, advertenties, brochures of andere geschriften afkomstig van Native hebben een louter indicatieve waarde en stellen Native geenszins aansprakelijk. Native biedt dus geen garantie met betrekking tot de juistheid van de beschrijvingen in de catalogus, de oorsprong, de datum, de leeftijd, de cultuur of de afkomst van de geveilde voorwerpen. Alleen de verkoper is aansprakelijk voor de in de catalogus opgenomen beschrijvingen. Native neemt deze beschrijvingen alleen in zijn catalogus op als tussenpersoon van de verkoper.

c) Native verklaart zich bereid om de verkoop in naam van de verkoper te annuleren en de hamerprijs, de commissie en de btw terug te betalen, indien binnen 1 jaar na de verkoopdatum zou blijken dat een verkocht voorwerp het resultaat is van een opzettelijke moderne vervalsing. Onder opzettelijke moderne vervalsing verstaan wij een reproductie waarvan bewezen kan worden dat zij is gemaakt met het opzet een ander te bedriegen, hetzij met betrekking tot de oorsprong, hetzij op het vlak van de datum, de leeftijd, de cultuur of de bron, zonder dat dit duidelijk uit de catalogus blijkt.

Voorwaarde voor deze terugbetaling is dat de koper onmiddellijk na de ontdekking van het gebrek en ten laatste binnen een termijn van 1 jaar te rekenen vanaf de datum van de verkoop aangetekend klacht bij Native indient, en dat hij het nagemaakte voorwerp onmiddellijk aan Native terugbezorgt in de staat waarin het zich op de dag van de verkoop bevond en vrij van elke aanspraak van derden. De koper moet het bewijs leveren dat het verkochte voorwerp een vervalsing is ten opzichte van de beschrijving in de catalogus en dat het voorwerp wel degelijk het verkochte voorwerp is. Elke andere vordering van de koper is uitgesloten.

d) De koper dient op eigen kosten en binnen een termijn van 7 dagen na het afsluiten van de veiling de gekochte stukken af te halen. Dit kan tijdens de openingsuren van Native: van maandag t/m vrijdag tussen 10.00 en 13.00 uur en tussen 14.00 en 17.30 uur. Indien er voldoende tijd is, worden de voorwerpen na elke zitting overhandigd. Zoals bepaald in punt 1., worden de voorwerpen overhandigd tegen contante betaling.

Tijdens de hierboven vermelde termijn is Native aansprakelijk voor verlies, diefstal, beschadiging of vernieling van de verkochte en betaalde goederen. Deze aansprakelijkheid beperkt zich tot maximaal het bedrag van de verkoop, de commissie en de btw. Na deze termijn eindigt de aansprakelijkheid van Native. Indien de verkochte voorwerpen niet zijn afgehaald binnen een termijn van 7 dagen, worden zij bewaard op kosten en voor risico van de koper.

e) Elke koper staat persoonlijk in voor de verkoop die aan hem werd gedaan. Aan personen die handelen als vertegenwoordiger en voor rekening van derden of als een orgaan van een rechtspersoon, kan een bewijs van machtiging tot vertegenwoordiging worden geëist. De vertegenwoordiger is solidair verantwoordelijk met de vertegenwoordigde voor het naleven van alle verplichtingen.

2. Hammerprijs, commissie, risico-overdracht, eigendomsoverdracht, betaling, facturatie, btw, import en export

a) Naast de prijs van de verkoop is de koper ook een toeslag ('commissie') op de hamerprijs verschuldigd. De commissie bedraagt 20% van de hamerprijs.

De koper is eveneens de Belgische btw (21%) op de commissie verschuldigd.

Voor kavels waarvan de verkoper niet-ingezetene is van de E.U. (kavels aangeduid met §) betaalt de koper een inroepkosten van 6% op de hamerprijs, plus de wettelijke kosten.

Het bedrag van deze taks wordt terugbetaald op vertoon van het bewijs van export buiten de E.E.G.

b) De eigendom van het verkochte voorwerp gaat over op de koper vanaf het ogenblik van de verkoop. Tot op het ogenblik van de volledige betaling van de hamerprijs, de commissie en de btw, kan Native pandrecht en retentierecht inroepen voor de stukken die het in bewaring heeft. Het overhandigen van het aan de koper verkochte voorwerp vindt pas plaats na volledige betaling van de hamerprijs, de commissie en de btw.

c) Een verkocht voorwerp moet binnen de 7 dagen na sluiting van de veiling betaald zijn. Indien de koper 30 dagen na de verkoop nalaat te betalen, worden alle bedragen die op dat ogenblik verschuldigd zijn van rechtswege en zonder voorafgaande ingebrekestelling verhoogd met een verwijlinterest van 10% per jaar. Bij niet-betaling op de vervaldag wordt elk verschuldigd bedrag bovendien van rechtswege verhoogd met een vaste vergoeding van 15%, ongeacht het recht van Native om de volledige vergoeding van de geleden schade te eisen.

Indien de door de koper verschuldigde betaling niet of niet tijdig plaatsvindt, kan Native bovendien naar eigen keuze en in naam van de verkoper hetzij de uitvoering van de verkoopovereenkomst eisen, hetzij - zonder daarom gehouden te zijn tot het toekennen van een termijn - afstand doen van het recht om uitvoering van de verkoopovereenkomst te eisen en schadevergoeding vragen voor niet-naleving van het contract, hetzij afzien van het contract. De koper is aansprakelijk ten opzichte van Native en de verkoper voor alle schade ingevolge niet-betaling of laattijdige betaling.

d) Voor export van een voorwerp buiten België en import in een ander land kunnen bijzondere vergunningen vereist zijn. De koper is verantwoordelijk voor het verkrijgen van alle vereiste export- of importvergunningen. Niet-toekenning of vertraging door de laattijdige toekenning van de nodige vergunning vormt geen geldige reden voor annulatie van de verkoop of uitstel van betaling.

3. Inschrijving en deelname aan de verkoop

a) Het uitbrengen van een bod of het doorgeven van een aankooporder 'absentee bid' is onvoorwaardelijk en onherroepelijk bindend voor de bieder. De bieder blijft gebonden door zijn bod tot er een hoger bod gedaan wordt of het bod door Native verworpen wordt. In geval van een dubbel bod wordt onmiddellijk opnieuw afgeroepen; bij twijfel beslist de directie van de veiling door loting.

b) Bieders die niet persoonlijk bij Native bekend zijn, dienen zich bij aanvang van de veiling te legitimeren. Native behoudt zich het recht voor een bewijs van kredietwaardigheid van de bieder te vragen. Indien dit document niet kan worden voorgelegd, is Native gemachtigd onmiddellijk betaling van een contant voorschot van 10% van de toewijzing of een borg te eisen. Bij afwezigheid van voorschot of borg is Native gemachtigd om de verkoop in naam van de verkoper te annuleren.

c) Native mag naar eigen inzicht een bod verwerpen zonder verklaring van zijn beslissing. Bovendien heeft Native het recht om voorwerpen te gunnen zonder verkoop of uit de veiling terug te trekken. Native behoudt zich het recht voor aan personen toegang tot de handelslokalen of deelname aan de veiling te weigeren.

d) Personen die niet persoonlijk aan de veiling wensen deel te nemen, kunnen hun bod schriftelijk uitbrengen tot 24 uur voor de aanvang van de veiling.

Ook telefonisch bieden is mogelijk, indien de telefonische bieder zich ten minste 24 uur voor de aanvang van de veiling schriftelijk heeft aangemeld. Native aanvaardt telefonische biedingen voor kavels waarvan de waarde op minstens 1000 euro is geschat.

Native weigert elke aansprakelijkheid voor biedingen die niet in aanmerking zijn genomen of indien geen rekening werd gehouden met een telefonisch bod.

De criteria vermeld in punt 3b met betrekking tot de legitimatie en het bewijs van kredietwaardigheid zijn ook van toepassing voor personen die hun bod per telefoon of schriftelijk uitbrengen. Voor bieders die hun bod via de website uitbrengen in het kader van een aankooporder (absentee bid), geldt alleen de vermelding in punt 3b met betrekking tot de kredietwaardigheid.

4. Varia

a) De veiling vindt plaats onder medetoezicht van een deurwaarder. Native weigert elke aansprakelijkheid met betrekking tot daden die toe te schrijven zijn aan de instrumenterende deurwaarder.

b) Voormelde bepalingen maken integraal deel uit van elk individueel verkoopcontract dat ter gelegenheid van een veiling gesloten wordt. Wijzigingen aan deze voorwaarden zijn slechts bindend indien Native zich hiermee schriftelijk akkoord heeft verklaard.

c) Voor geschillen over de geldigheid, interpretatie en uitvoering van onderhavige verkoopvoorwaarden en het verloop van de veiling is het Belgische recht van toepassing, met uitzondering van (a) de bepalingen van de Conventie van Wenen met betrekking tot internationale verkoopovereenkomsten en (b) de regels die verwijzen naar het Belgische Internationale Privaatrecht.

d) In geval van geschil zijn alleen de rechtbanken van Brussel bevoegd.

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CATALOGUE EDITORS

Nicolas Paszukiewicz
Sébastien Hauwaert

PHOTOGRAPHERS

Nicolas Paszukiewicz
Sébastien Hauwaert

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